

JAN 14 2009  
JENNIFER BRANDON

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FILED  
BY                       
DEPUTY

MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT, GALLATIN COUNTY

STATE OF MONTANA,

Plaintiff,

vs.

JACK COFFIN,

Defendant.

Cause No. DC-07-303C

REASONS FOR SENTENCE

Under Montana law, the Court is required to state the reasons for the sentence the Court will impose in this case. Montana's Correctional Policy requires the Court to consider punishment commensurate with the nature and degree of harm caused by Mr. Coffin's offense, to protect the public safety by incarcerating serious, repeat felony offenders, or violent offenders, which is not the case here, to provide restitution and reparation to victims and by providing offenders with opportunities to engage in self-improvement and rehabilitation when that is appropriate. The Court has considered the information contained in the Pre-Sentence Investigation Report, and the information presented at this hearing, and the Court states the following reasons for its sentence:

Mr. Coffin is 72-years-old. He is retired. His criminal history consists of

prior misdemeanors.

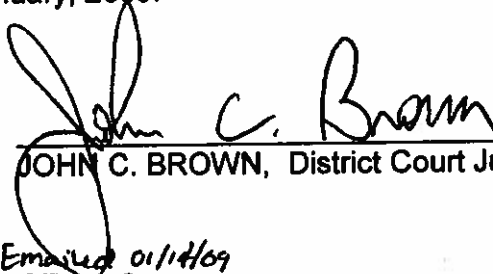
In this case Mr. Coffin has pled guilty to felony insurance fraud. This crime was a terrible lapse of judgment on Mr. Coffin's part. Mr. Coffin lied to a police officer regarding an accident. He fabricated the timing of his accident so that it would appear that the accident and damage to his vehicle occurred while he had insurance in place, when in reality it occurred prior to his purchase of the Traveler's insurance policy. But I believe that Mr. Coffin now recognizes that this was a terrible thing to do. He's been accountable for the offense. He's prepared today to pay the restitution and the restitution fee in full which will be forwarded on to Traveler's Insurance which will be made whole.

Under the circumstances, the sentence contemplated by the parties' Plea Agreement satisfies does satisfy the sentencing guidelines of the State of Montana. It provides punishment commensurate with the nature and degree of harm caused by Mr. Coffin because he will be under the supervision of the Idaho Department of Corrections for one year. His freedom will be restricted as set forth in the conditions of the deferred sentence which I will impose. This punishment is commensurate with the nature and degree of harm caused by his offense and it holds him accountable. He's paying the restitution in full today so Traveler's will be made whole. Guidance or assistance his probation officer in Idaho will be available to him. So, all in all, the sentence contemplated by the plea agreement satisfies the sentencing guidelines. It's just under the circumstances and that is the sentence I'm going to impose today.

Thereafter, the Court sentenced the Defendant as set forth in the  
Sentence and Judgment filed of record in the court file.

Done in open court the 5<sup>th</sup> day of March, 2008.

Signed this 13<sup>th</sup> day of January, 2009.

A handwritten signature in black ink, appearing to read "John C. Brown", is written over a horizontal line.

JOHN C. BROWN, District Court Judge

c Michael Winsor, Helena, Montana - Emailed 01/14/09  
Colleen Herrington, Public Defender's Office - Emailed 01/14/09